

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF VERMONT

SCOTT TRAUDT, *

Plaintiff *

v. *

ARI RUBENSTEIN *

Defendant *

GTS SECURITIES LLC *

Defendant *

CHARLES W. SCHWAB AND CO. INC. *

SCHWAB HOLDINGS, INC. *

Defendant *

FINANCIAL INDUSTRY *

REGULATORY AUTHORITY *

Defendant *

GARY GENSLER *

US SECURITIES AND EXCHANGE *

COMMISSION *

Respondent *

Docket Number: 2:24-cv-00782

JURY TRIAL DEMANDED

1st Amended Complaint

PLAINTIFF TRAUDT'S MOTION FOR ENTRY OF FINAL JUDGMENT
AGAINST DEFENDANTS FINANCIAL INDUSTRY REGULATORY
AUTHORITY, GTS SECURITIES LLC, AND ARI RUBENSTEIN

Plaintiff Scott Traudt respectfully moves this Court pursuant to Federal Rule of Civil Procedure 54(b) to direct entry of final judgment as to Defendants **FINRA, GTS Securities LLC, and Ari Rubenstein.**

On November 19, 2024, this Court dismissed Plaintiff's claims against all defendants except Schwab (Doc. 103). On December 16, 2024, the Court granted

Schwab's motion to stay proceedings and compel arbitration (Doc. 113). On June 30, 2025, the Court denied Plaintiff's Motion to File a Second Amended Complaint, holding that FINRA has absolute immunity and is not a state actor for purposes of constitutional claims (Doc. 149 at 10–11). On September 9, 2025, the Court denied Plaintiff's motion for an extension of time to amend further, emphasizing both futility and procedural deficiencies (Doc. 150).¹

Through these orders, the Court has fully and finally adjudicated all claims against **FINRA, GTS Securities LLC, and Ari Rubenstein**, and no claims remain pending against those defendants.

Rule 54(b) provides that when an action presents multiple claims or involves multiple parties, the Court may direct entry of a final judgment as to one or more but fewer than all claims or parties if it expressly determines there is no just reason for delay. The Second Circuit has made clear that a judgment is final for Rule 54(b) purposes if it is an ultimate disposition of an individual claim or party. See *Ginett v. Computer Task Group, Inc.*, 962 F.2d 1085, 1091 (2d Cir. 1992). In *Ginett*, the court explained that certification is appropriate when the district court has reached a final decision as to one party and there is no just reason for delaying appellate review. Similarly, the Supreme Court in *Curtiss-Wright Corp. v. General Electric Co.*, 446 U.S. 1, 8 (1980), and the Second Circuit applying it in *O'Bert ex rel. Estate of O'Bert v. Vargo*, 331 F.3d 29, 40 (2d Cir. 2003), emphasized that Rule 54(b) requires consideration of judicial

¹ The “procedural deficiencies” involved not contacting FINRA’s counsel to get a negative reply for an extension to amend the complaint from a court that had already determined it was not going to grant any extension anyway. So the “procedural issues” are moot.

administrative interests and equitable concerns in determining whether to permit immediate appeal.

Applying this framework, the Court's rulings against **FINRA, GTS Securities LLC, and Ari Rubenstein** are final and dispositive. The immunity and state-action determinations resolved FINRA's involvement entirely, and the dismissals of GTS Securities LLC and Ari Rubenstein have likewise concluded their involvement. Plaintiff has been denied leave to amend further. Nothing remains to be litigated as to these defendants.


Moreover, there is no just reason to delay appellate review. The only remaining defendant, Schwab, is in arbitration with plaintiff via court order here. The issues concerning Schwab are wholly distinct from those decided as to FINRA, GTS Securities LLC, and Ari Rubenstein, which turn on controlling legal questions regarding immunity, constitutional state action, and dismissal of claims. Allowing immediate appeal now promotes judicial efficiency by enabling review of dispositive legal issues while avoiding unnecessary delay that would prejudice Plaintiff and serve no judicial purpose.

Plaintiff has as of 23 September 2025 complied with Rule 7 by sending this to all defendants for consideration. As of this writing, counsel for GTS, FINRA, and Rubenstein are unopposed to this motion and consent.

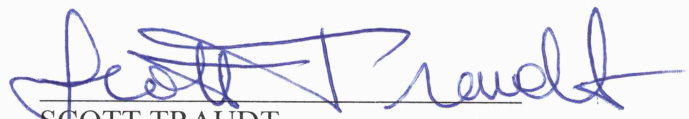
For these reasons, Plaintiff respectfully requests that the Court certify its orders of November 19, 2024 (Doc. 103), June 30, 2025 (Doc. 149), and September 9, 2025 (Doc. 150) as final under Rule 54(b) and direct entry of judgment in favor of Defendants **FINRA, GTS Securities LLC, and Ari Rubenstein**.

Respectfully submitted,

Dated: September 23rd, 2025


Scott Traudt, *pro se ipso*
191 Kibling Hill Road
Strafford, VT 05072

I hereby certify that a true copy of the foregoing was sent to all named defendants and respondent at the addresses delineated below either by 1st Class mail or via email on this 23 day of September, 2025.


SCOTT TRAUDT

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